

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

KEVIN D. HARDWICK,

CIVIL ACTION NO. 2:18-cv-1185

Plaintiff,

CHIEF JUDGE EDMUND A. SARGUS, JR.

v.

CHIEF MAGISTRATE JUDGE ELIZABETH
A. PRESTON DEAVERS

3M COMPANY, et al.,

Defendants.

**PLAINTIFF KEVIN D. HARDWICK'S STATUS REPORT REGARDING
DEFENDANT DYNEON, L.L.C.**

Pursuant to the Court's April 1, 2019 Order (ECF No. 91-1), Plaintiff Kevin D. Hardwick ("Plaintiff") provides the following status report addressing the status of Defendant Dyneon, L.L.C. ("Dyneon") in this action.

Plaintiff served Dyneon on November 9, 2018. (Returned Summons at PageID 168-72, ECF No. 31.) However, counsel for Defendant 3M Company ("3M") has since represented to the undersigned that Dyneon, which was a subsidiary of 3M, has been formally dissolved and does not exist anymore as an independent company. Plaintiff subsequently obtained records from the Delaware Department of State, Division of Corporations showing that Dyneon was "Voluntarily Cancelled" on October 7, 2011. Based on defense counsel's representation and the corroborating records obtained by Plaintiff showing that Dyneon has been dissolved, Plaintiff intends to remove Dyneon as a defendant through an amended complaint that he will file (or move for leave to file) on or before April 12, 2019, for the limited purpose of removing Dyneon from the case and effectuating the substitution of AGC Chemicals Americas, Inc. for AGC, Inc. as a defendant in the case. (*See* Stipulation, ¶ 10, ECF No. 89.)

Respectfully submitted,

/s/ David J. Butler

David J. Butler (0068455), Trial Attorney
Jonathan N. Olivito (0092169)
Taft Stettinius & Hollister LLP
65 East State Street, Suite 1000
Columbus, Ohio 43215
Telephone: (614) 221-2838
Facsimile: (614) 221-2007
dbutler@taftlaw.com
jolivito@taftlaw.com

Robert A. Bilott (0046854)
Taft Stettinius & Hollister LLP
425 Walnut Street, Suite 1800
Cincinnati, OH 45202-3957
Telephone: (513) 381-2838
Facsimile: (513) 381-0205
bilott@taftlaw.com

-and-

Michael A. London (pro hac vice)
Rebecca G. Newman (pro hac vice)
Douglas & London, PC
59 Maiden Lane, 6th Floor
New York, NY 10038
Telephone: (212) 566-7500
Facsimile: (212) 566 7501
mlondon@douglasandlondon.com
rnewman@douglasandlondon.com

-and-

Ned McWilliams (pro hac vice application
forthcoming)
Levin Papantonio Thomas Mitchell Rafferty
& Proctor P.A.
316 South Baylen Street
Pensacola, FL 32502
Telephone: (850) 435-7138
nmcwilliams@levinlaw.com

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing was served through the Court's CM/ECF system this 8th day of April, 2019, on all counsel of record.

/s/ David J. Butler _____

David J. Butler